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UNCLAS SECTION 01 OF 03 TRIPOLI 000308

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E.O. 12958: N/A  
TAGS: [PREL](#) [LY](#)  
SUBJECT: LIBYAN PROPOSAL FOR MIL/MIL MOU

11. (SBU) Libyan MFA conveyed to Post via diplomatic note a draft MOU on military cooperation. While the Libyan proposal generally tracks with a proposed text conveyed by Deputy Secretary of Defense England to Libyan FM Abdulrahman Shalgham

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during the latter's January 2008 visit to Washington, the Libyan version makes significant changes to the preamble. The Libyan draft includes assertions that the U.S. will work through the UN Security Council in support of Libya's independence, territorial integrity, and its right to defend itself. The Libyan draft also adds language to the preamble committing the U.S. to acknowledge Libya's "voluntary renunciation of its WMD programs, its counterterrorism actions, and its prominent role in serving peace on the regional and international levels," and to "promote cooperation to enable Libya to realize its security and integrity."

12. (SBU) Embassy translation of the full text of the diplomatic note accompanying the draft MOU follows.

The General People's Committee Secretariat for Foreign Liaison and International Cooperation (Americas Office) sends its compliments to the US Embassy in the Great Jamahiriya, and attaches herewith the draft Memorandum of Understanding between the General Interim Committee on Defense in the Great Socialist People's Libyan Arab Jamahiriya and the US Department of Defense as regards contacts and cooperation in the field of defense.

The General People's Committee Secretariat for Foreign Liaison and International Cooperation (Americas Office) avails itself of this opportunity to renew to the esteemed US Embassy the assurances of its highest consideration.

(Seal of the General People's Secretary for Foreign Liaison and International Cooperation)

To: US Embassy

Tripoli: April 3, 2008

13. (SBU) The full text of the Libyan draft MOU follows.

Draft Memorandum of Understanding

Between

The General Interim Committee on Defense of the Great Socialist People's Libyan Arab Jamahiriya

And

The U.S. Department of Defense

Regarding contacts and cooperation in the field of defense

PREAMBLE

The General Interim Committee on Defense in Great Socialist People's Libyan Arab Jamahiriya and the US Department of Defense in the United States (hereinafter "parties");

- Being determined to enhance the existing friendship ties between them, and acting on the spirit of partnership and cooperation;

- Approving the importance of the voluntary decision taken by Great Socialist People's Libyan Arab Jamahiriya to renounce its WMD programs, they [the two parties] assert the commitment of the United States of America to work through the UN Security Council to support the independence of the Great Jamahiriya and its territorial integrity, and to enable it to defend itself with conventional weapons and with the support of the United

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Nations in return for its voluntary renunciation of its WMD programs, its counter terrorism actions and its prominent role in serving peace on the regional and international levels.

- And In response to both parties' joint commitment to promote cooperation in view to enable Great Socialist People's Arab Libyan Jamahiriya to realize its security and integrity;

In Witness whereof, the parties hereto have entered this Memorandum of Understanding as follows:

Section One: Cooperation Scope

Both parties intend to cooperate in the field of defense in accordance with the laws, regulations and policies in force in their countries.

1)- The purpose of this cooperation between both parties is to enhance international peace and stability.

2)- The greater purpose sought by both parties is to build a permanent defense relationship based on mutual respect that contributes to the security of each party, and enhances peace and security with other countries in the Mediterranean region, and with the African Union and its member nations.

## Section Two: Cooperation Fields

Both parties can encourage and develop bilateral communications and cooperation in the field of defense, and have agreed on the following:

- a- Sharing of information concerning defense-related issues.
- b- Mutual sharing of information as regards execution of national military approaches.
- c- Sharing of information and expertise and news bulletins with respect to operating and maintenance of military equipment.
- d- Sharing of information as regards promoting security with the Mediterranean states and the African Union and its member states.
- e- Exchange of expertise in the fields of staff, leadership and control.
- f- To provide specialized training for Libyan military officers at the military academies in the USA.
- g- To train specialists in the military institutions, including linguistic training inside these facilities.
- h- To provide assistance to research and development centers and to exchange visits and expertise among the members of these centers in both countries, and to provide them with the right knowledge.
- i- To conduct talks in relation to the law governing armed disputes, and the relation between military and civil authorities, and other legal issues as regards military service.
- j- Any other issues mutually agreed upon by both parties.

## Section Three: Cooperation Planning

1- The two parties intend to set up a periodic cooperation plan, to be approved mutually, and that would specify the areas of cooperation in which they decide to proceed.

2- The two parties, whenever required, shall make more

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detailed arrangements regarding specific areas of cooperation.

## Section Four: Amendments

This MOU can be amended any time, upon written notification and through mutual agreement between both parties.

## Section Five: Confidentiality

Each of the two parties shall commit that any information either

party obtains from the other party by virtue of this agreement shall remain confidential and not to disclose it to any third party, except upon prior written approval from the party providing the information.

#### Section Six: Dispute Resolution

Any disputes that might arise between the two parties regarding the interpretation or the implementation of this MOU shall be resolved through negotiations between the two parties solely.

#### Section Nine: Entry into Force, its Scope and Termination

1- This MOU shall enter into force upon its signature by both parties.

2- This MOU does not include any provisions that entail commitments under International Law

3- This MOU shall remain effective unless terminated by a mutual agreement, or by either party, upon 90-day written notice submitted in advance to the other party. Should this MOU be terminated, all activities related to it shall stop, and both parties shall enter into consultations with a view to solving any pending issues.

In Witness whereof, this memorandum is drafted today ~~~~.. 2008, in two versions: one in Arabic and the other in English. Both versions shall have the same validity and legal force.

(signatures)

End text.  
STEVENS